

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: **AUG 21 2008**

UNITED STATES OF AMERICA

INDICTMENT

- v. -

JOHNNY CEBALLOS,
a/k/a "Tito,"

Defendant.

08 CRIM 793

COUNT ONE

The Grand Jury charges:

1. In or about August 2008, in the Southern District of New York and elsewhere, JOHNNY CEBALLOS, a/k/a "Tito," the defendant, and others known and unknown, unlawfully, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that JOHNNY CEBALLOS, a/k/a "Tito," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute 1 kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(A).

Judge McMahon

Overt Act

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. On or about August 15, 2008, in Queens, New York, JOHNNY CEBALLOS, a/k/a "Tito," the defendant, engaged in a narcotics transaction with another individual.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION AS TO COUNT ONE

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, JOHNNY CEBALLOS, a/k/a "Tito," the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment, including but not limited to:

a. a sum of money representing the amount of proceeds obtained as a result of the controlled substance offense for which the defendants are liable.

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

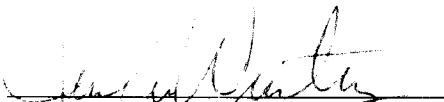
b. has been transferred or sold to, or deposited with, a third person;

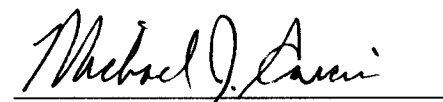
c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value;
or

e. has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1) and 853.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JOHNNY CEBALLOS,
a/k/a "Tito,"

Defendant.

INDICTMENT

08 Cr.

(21 U.S.C. §§ 812, 841(a)(1),
841(b)(1)(A), and 846.)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL


Foreperson.

8/21/08 PJL In Part 11-1-87
This case is assigned to Judge
McPherson for all purposes A/W
Ceballos

